

UNITED STATES BANKRUPTCY COURT
DISTRICT OF OREGON

In re) Case No.: 23-62260-dwh11
VAN'S AIRCRAFT, INC.) CHAPTER 11 TRUSTEE'S
) CASE STATUS REPORT
)
Debtor(s))

Currently, local rules contemplate that the LBF 1195 will be filed within 120 days of entry of an Order Confirming Plan, even when the Plan is confirmed as a non-consensual Plan under 11 USC 1191(b). Since the bankruptcy estate, and case, remain open in a non-consensual plan for the life of the confirmed Plan, local rules authorize the Chapter 11 Trustee (Trustee), or other designated party, to file a status report, in lieu of LBF 1195, and to thereafter file a further status report every six months until the Plan has been completed, at which time LBF 1195 would be filed. The next status report is due roughly six months from this filing.

CURRENT STATUS REPORT

The debtor's Plan of Reorganization was confirmed as a non-consensual Plan on May 16, 2024 (Dkt. #143). The Effective Date of the Plan was June 1, 2024. Pursuant to the Confirmation Order, the Debtor is responsible for making all Plan Payments. A summary of the Plan Payments is attached hereto as **Exhibit A**. The debtor reports that all allowed Administrative Claims have been paid in full.

The debtor further reports that payments to the other Claimants described on Exhibit A have been as follows:

Class 1 (Priority Claims)

A total of \$500,892.01 has been paid out to 122 Class 1 claimants. Payments will continue as pending claim objections are resolved.

Class 2 (Van Grunsven Trust)

This Claimant was paid \$253,414.39 on June 4, 2024 for deferred interest and has received

regular monthly payments of \$34,088.17 each on July 16th, August 5th, and September 4th, 2024.

Class 3 (Mark van Wyk)

This Claimant has been paid in full.

Class 4 (Property Tax Lien Claims)

This Claimant has been paid current.

Class 5 (General Unsecured Claims)

Payments to these Claimants do not commence until June of 2025.

Class 6 (Small Unsecured Claims)

There are 46 Claimants in this class. They have been paid in full in the total amount of \$24,052.35.

As to the debtor's Employee Stock Option Plan, termination of that Plan is continuing. It is anticipated that it will be completed prior to the Trustee's next status report.

In general, the Trustee notes that the debtor continues to process numerous claim objections and to negotiate with those claimants who are challenging those claim objections. All of these objections deal with Class 1 and Class 5 claimants. As of this writing, the individual Responses filed by those claimants challenging the debtor's claim objection have been set for preliminary hearing on September 24th and on October 16th. Further proceedings will be scheduled at the time of those hearings. It is hoped that all claim objections will be resolved prior to the Trustee's next status report.

Parties are encouraged to contact the Trustee directly if there are any questions regarding the contents of this report.

Respectfully submitted,

/s/ Kenneth S. Eiler
Chapter 11 Trustee

c: by ecf only

EXHIBIT A
PLAN PAYMENT SCHEDULE

Effective Date: June 1, 2024

Class 1 (Priority Claims). Class 1 consists of all Allowed Priority Claims other than allowed administrative expense claims and priority tax claims. This class includes Claimants with allowed deposit claims up to \$3,350. Each holder of an Allowed Class 1 Claim will be paid in full in Cash the amount of its Allowed Class 1 Claim, on the latter of (a) the Effective Date or (b) the date on which such Claim becomes Allowed, unless such holder shall agree or has agreed to a different treatment of such Claim.

Class 2 (Van Grunsven Trust). Class 2 consists of the Allowed Secured Claim of the Van Grunsven Trust for the 2021 Secured Loan. On the Effective Date, this Claimant shall be paid all unpaid, deferred interest payments. On each month thereafter, this Claimant shall be paid monthly installments of principal and interest at the fixed rate of 5% per annum pursuant to the original amortization schedule to the 2021 Secured Loan agreement, until the maturity date as set forth in the 2021 Secured Loan agreement. Any remaining balance due as of the maturity date will be paid in full on the maturity date set forth in the 2021 Secured Loan Agreement.

Class 3 (Mark van Wyk). Class 3 consists of the Allowed Secured claim of Mark van Wyk. This Claim shall be paid in full on the Effective Date or the date such Claim becomes Allowed, whichever is later.

Class 4 (Property Tax Lien Claims). Class 4 consists of the Allowed Secured Claims of any governmental units for ad valorem property taxes or similar impositions that are secured by statutory liens on any of Debtor's property (real or personal). A Class 4 Claimant shall be paid the full amount of its Allowed Secured Claim in full within 30 days of the Effective Date or the date the Claim is Allowed, whichever is later.

Class 5 (General Unsecured Claims). Class 5 consists of all Allowed General Unsecured Claims not otherwise classified and treated under the Plan. Each holder of a Class 5 Claim will be paid in Cash in annual payments its Pro Rata share of \$860,000 on or before June 15, 2025, plus \$570,000 on or before June 15, 2026, plus \$1,320,000 on or before June 15, 2027.

Class 6 (Small Unsecured Claims). Class 6 consists of all Allowed Small Claims that are \$1,000 or less, as well as Claimants who voluntarily reduced their allowed claim to \$1,000. Holders of Allowed Class 6 Claims will be paid a fixed amount equal to 100% of their Allowed Claim Amount on or before 60 days after the Effective Date or the date their Claim becomes Allowed, whichever is later.

Class 7 (Interests). Class 7 consists of all shares held as of the Petition Date by the Van Grunsven Trust, Cheryl Van Grunsven, Gregory Van Grunsven, Michelle Van Grunsven, and the ESOP. The ESOP is to be terminated. All existing equity will be cancelled and new equity will be issued.